

Notice of Allowability

Application No.

09/682,876

Examiner

Yehdega Retta

Applicant(s)

DUCHOW, MARK

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to DECISION ON APPEAL filed 3/30/06.
2. ☒ The allowed claim(s) is/are 76-93.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

Claims 76-93 are allowed.

The following is an examiner's statement of reasons for allowance:

The invention is directed to providing a web site for allowing user to select one producer and one product of the producer and allowing the user to enter a postal address code, and selecting one reseller based on the selected product and address code, and generating a voucher having a time limit for redemption and having a producer's purchase incentive for the purchase of the only one selected product at the only selected reseller; and communicating the voucher to the prospective customer and reseller through the Internet. The independent claims 76 and 85, recite the website generating a voucher having a time limit for redemption and having a producer's purchase incentive on the purchase of the only one selected product at the selected reseller; and communicating the voucher for the only one selected product to at least one of the prospective customer and the selected reseller over the Internet as voucher data. Scroggie teaches consumers entering postal codes (Zip code) and the Zip code determines what offers to be transmitted to consumers based on the market areas they reside in. The Scroggie reference however does not teach that the offer is determined based on selecting a producer first and one product of the producer and the zip code entered by the consumer. The closest prior art, Stingrayboats.com teaches selecting a producer (boat maker site), selecting a product (boat type) and selecting a state or entering Zip code. Based on the entered information the site provides a listing of reseller in the area selected (see www.archive.org/web/19991004053849/www.stingrayboats.com/new.html, see also "Genmar Brands Launch Worldwide Internet Boat Clearance; 'Cyber-Sale' Starts August 10" PR

Newswire, New York: Aug 6, 2001. pg. 1,

<http://proquest.umi.com/pqdweb?index=0&retrievegroup=0&srchmode=5&vinst=PROD&fmt=3&startp...>). However according to applicants declaration submitted, on December 30, 2002, the web site started providing the voucher, the same way as the claimed invention, approximately six weeks after Genmar's August 2001 Internet promotions (Genmar is in license agreement with the assignee).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YR


RETTA YEHDEGA
PRIMARY EXAMINER